

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chair Alan Doane, on January 23, 2017 at 8:00 AM, in Room 137 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Alan Doane, Chair (R)  
Rep. Seth Berglee, Vice Chair (R)  
Rep. Virginia Court, Vice Chair (D)  
Rep. Laurie Bishop (D)  
Rep. Bob Brown (R)  
Rep. Jennifer Eck (D)  
Rep. Bill Harris (R)  
Rep. Kathy Kelker (D)  
Rep. Casey Knudsen (R)  
Rep. Theresa Manzella (R)  
Rep. Nate McConnell (D)  
Rep. Shane A. Morigeau (D)  
Rep. Dale Mortensen (R)  
Rep. Zac Perry (D)  
Rep. Matt Regier (R)  
Rep. Lola Sheldon-Galloway (R)  
Rep. Barry Usher (R)  
Rep. Kirk Wagoner (R)

**Members Excused:**

Rep. Ellie Hill Smith (D)

**Members Absent:** None

**Staff Present:** Sara Fleming, Committee Secretary  
Helen Thigpen, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 268, 1/18/2017; HB 277, 1/18/2017; HB 278, 1/18/2017

**HEARING ON HB 277**

**Opening Statement by Sponsor:**

00:00:15 Rep. Matt Regier (R), HD 4, opened the hearing on HB 277, Revise speedy trial laws for felony offenses.

**EXHIBIT(juh16a01)**

**Proponents' Testimony:**

00:07:56 Mark Murphy, Montana County Attorneys Association (MCAA)

**Opponents' Testimony:**

00:10:50 SK Rossi, American Civil Liberties Union (ACLU)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:14:10 Rep. McConnell  
00:14:34 Mark Murphy, MCAA  
00:16:13 Rep. McConnell  
00:16:31 SK Rossi, ACLU  
00:17:18 Rep. Kelker  
00:17:56 Mark Murphy, MCAA  
00:20:26 Vice Chair Berglee  
00:21:13 Mark Murphy, MCAA

**Closing by Sponsor:**

00:25:25 Rep. Regier

**HEARING ON HB 278**

**Opening Statement by Sponsor:**

00:29:31 Rep. Matt Regier (R), HD 4, opened the hearing on HB 278, Provide option for drug treatment on a deferred sentence.

**Proponents' Testimony:**

00:31:35 Matt Kuntz, National Alliance on Mental Illness (NAMI)  
00:32:40 Mark Murphy, Montana County Attorneys Association (MCAA)  
00:34:58 Beth Brenneman, Disability Rights Montana  
00:35:34 SK Rossi, American Civil Liberties Union (ACLU)

**Opponents' Testimony:** None

**Informational Testimony:**

00:36:03 Adrian Slaughter, Department of Corrections (COR)

**Questions from Committee Members and Responses:**

00:36:40 Rep. Kelker  
00:36:57 Adrian Slaughter, COR  
00:37:27 Rep. Manzella  
00:37:44 Adrian Slaughter, COR

00:38:39 Rep. Sheldon-Galloway  
00:39:08 Adrian Slaughter, COR  
00:39:50 Rep. Harris

**Closing by Sponsor:**

00:40:04 Rep. Regier

00:41:17 Recess

00:48:45 Reconvened

**HEARING ON HB 268**

**Opening Statement by Sponsor:**

00:48:57 Rep. James O'Hara (R), HD 27, opened the hearing on HB 268, Create offense related to assault on healthcare and emergency providers.

**Proponents' Testimony:**

00:50:31 Vicki Byrd, Montana Nurses Association (MNA)

[EXHIBIT\(juh16a02\)](#)

[EXHIBIT\(juh16a03\)](#)

[EXHIBIT\(juh16a04\)](#)

00:56:21 Rep. Garner

00:58:54 Jon Bennion, Department of Justice (DOJ)

01:00:00 Caitlin Shipp, Self

[EXHIBIT\(juh16a05\)](#)

01:03:06 JD Lynch, Teamster Union 2, Butte

01:04:07 Vicki Groeneweg, Bozeman Health

01:09:33 Lance Zanto, Labor and Management Advisory Council (LMAC)

01:09:58 Jim Larson, Labor and Management Advisory Council (LMAC)

01:10:20 Lorri Deplazes, St. James Healthcare

[EXHIBIT\(juh16a06\)](#)

01:13:04 Brenda Donaldson, Montana Nurses Association (MNA)

[EXHIBIT\(juh16a07\)](#)

01:15:37 Karen Sullivan, Butte Silverbow Health Department

[EXHIBIT\(juh16a08\)](#)

01:18:39 Shantil Siaperas, Montana Association of Counties (MACo)

01:19:49 Brian Reed, Self

01:20:24 Rep. Hill Smith joined the meeting

01:21:03 Robert Drake, Tri Lakes Volunteer Fire Department

01:24:20 Bill Warden, St. Peters Hospital, Bozeman Health, Montana Catholic Hospitals,  
Kalispell Regional Medical Center

01:25:01 Aimee Grmoljez, Billings Clinic, Montana Medical Association (MMA)

01:25:55 Jessie Luther, Benefis Health System

01:26:28 Brittany Lee, Self

01:28:05 Peggy Verploegen, Self

01:30:00 Rep. Pierson  
 01:31:11 Sandy Luckey, Montana Nurses Association (MNA)  
 01:31:34 Christopher Shipp, Self  
 01:32:34 Anne McCoy, Self  
 01:33:24 Erin Fulley, St. James Healthcare  
 01:34:41 Anne Pentecost, Self  
 01:37:38 Elaine Beaupre, Self  
 01:39:23 Megan Hamilton, Self

**Opponents' Testimony:**

01:39:55 Beth Brennenman, Disability Rights Montana

**EXHIBIT(juh16a09)**

01:43:06 Matt Kuntz, National Alliance on Mental Illness (NAMI)  
 01:47:11 Kathy McGowan, Montana Health Centers  
 01:51:47 SK Rossi, American Civil Liberties Union (ACLU)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:54:44 Rep. C. Knudsen  
 01:55:08 Vicki Byrd, MNA  
 01:57:26 Rep. C. Knudsen  
 01:57:43 Rep. Garner  
 01:59:06 Rep. McConnell  
 02:00:34 Vicki Byrd, MNA  
 02:02:35 Rep. McConnell  
 02:03:11 Rep. Garner  
 02:03:19 Vice Chair Court  
 02:04:00 Vicki Byrd, MNA  
 02:04:25 Vice Chair Court  
 02:04:42 Matt Kuntz, NAMI  
 02:05:24 Rep. Kelker  
 02:06:08 Rep. Garner  
 02:09:06 Rep. Kelker  
 02:10:18 Vicki Byrd, MNA  
 02:12:33 Rep. B. Brown  
 02:13:09 Brenda Donaldson, MNA  
 02:13:55 Rep. Garner  
 02:14:55 Rep. Manzella  
 02:15:49 Rep. Garner  
 02:16:51 Rep. Manzella  
 02:18:36 Vicki Byrd, MNA  
 02:18:52 Julia Brennan, Department of Labor and Industry (DLI)  
 02:19:33 Rep. Manzella  
 02:20:27 Julia Brennan, DLI  
 02:26:14 Rep. Harris  
 02:27:53 Bill Warden, St. Peters Hospital, Bozeman Health, Montana Catholic Hospitals,  
 Kalispell Regional Medical Center  
 02:30:45 Rep. Wagoner

02:32:28 Beth Brenneman, Disability Rights Montana  
02:33:32 Rep. Wagoner  
02:33:52 Vicki Byrd, MNA  
02:35:23 Rep. Wagoner  
02:35:59 Rep. Garner  
02:36:41 Vice Chair Berglee  
02:37:39 Julia Brennan, DLI  
02:39:59 Rep. Morigeau  
02:40:54 SK Rossi, ACLU  
02:43:27 Rep. Sheldon-Galloway  
02:44:39 Rep. Garner  
02:45:49 Rep. Sheldon-Galloway  
02:46:15 SK Rossi, ACLU  
02:47:19 Rep. Sheldon-Galloway  
02:47:49 Vicki Byrd, MNA  
02:49:40 Rep. Hill Smith  
02:51:31 Vicki Byrd, MNA  
02:53:47 Rep. Manzella  
02:54:15 Vicki Byrd, MNA  
02:54:40 Julia Brennan, DLI  
02:54:57 Chair Doane  
02:55:09 Lorri Deplazes, St. James Healthcare  
02:56:22 Chair Doane  
02:56:26 Sandy Luckey, MNA  
02:58:14 Chair Doane  
02:58:19 Sandy Luckey, MNA  
02:59:16 Rep. C. Knudsen  
02:59:46 Vicki Byrd, MNA  
03:01:29 Rep. C. Knudsen  
03:01:38 Rep. Pierson  
03:02:01 Rep. Bishop  
03:03:22 Rep. Garner

**Closing by Sponsor:**

03:04:32 James O'Hara

**ADJOURNMENT**

Adjournment: 03:05:14

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Sara Fleming, Secretary

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Additional Documents:

**EXHIBIT**([juh16aad.pdf](#))